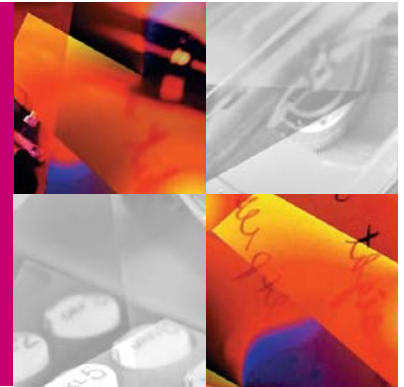




THE CANADIAN BAR ASSOCIATION  
L'ASSOCIATION DU BARREAU CANADIEN

# Best Practices Before the CITT and CBSA/GST and Customs Cross-Border Issues



Presented by the National Commodity Tax,  
Customs and Trade Section and the  
Continuing Legal Education Committee of  
the Canadian Bar Association

**May 17, 2007**  
**Ottawa Congress Centre**  
**Ottawa, ON**



**MILLER  
THOMSON** LLP  
Barristers & Solicitors  
Patent & Trade-Mark Agents

The National Commodity Tax, Customs and Trade Section is presenting a one day CLE conference on Customs and GST Cross-Border Issues as well as Best Practices before the CITT (Canadian International Trade Tribunal) and CBSA (Canadian Border Services Agency).

Hear from CITT Members and CBSA Officers on practical pointers respecting negotiations with and presentations to CBSA representatives and effective CITT advocacy, as well as experts on substantive topics covering Export Controls, Government Procurement Bid Challenges, Cross-Border GST and Customs Interaction, and the Administrative Monetary Penalty System (AMPs) in comparison to U.S. Mod Act penalties.

The Negotiations and Presentation sessions will involve senior representatives of the CITT and the CBSA with a focus on what the Tribunal or CBSA decision making authority is looking for, how to present effectively and what not to do if you want to advance your client's interests.

The Substantive sessions will involve panels of government representatives and expert private practitioners with a focus on what to be aware of and how to avoid traps for the unwary.

Lunch will feature an "experienced trade hand" who will provide a broad overview of trade remedy laws and free trade agreements and the impact of U.S. elections.

The conference will end with a networking cocktail reception to allow attendees a chance to mingle with senior government decision makers.

This is a must attend Conference for government officials, lawyers and consultants working in the trade remedy and customs areas. For newcomers: come and learn from the experts; for seasoned practitioners: come and learn some new tricks.

**OSLER** Osler, Hoskin  
& Harcourt LLP

**Deloitte.**



This program has been accredited by the Specialty Committee(s) of the Law Society of Upper Canada towards the professional development requirement for certification.

Civil Litigation/Corporate & Commercial Law- 7.5 hours

[www.lsuc.on.ca/services/services\\_specialist\\_intro\\_en.jsp](http://www.lsuc.on.ca/services/services_specialist_intro_en.jsp)

# Program

Thursday May 17, 2007

2:00 p.m.

**Break Out I**

8:30 a.m. **Registration**

9:00 a.m. **Introductions/Welcome**

Dalton Albrecht, *Miller Thomson LLP*, Toronto

9:05 a.m. **Getting To “Yes” With CBSA**

Moderator: Dalton Albrecht

*Miller Thomson LLP*, Toronto

Commentary: Robert Sacco, *Deloitte & Touche LLP*, Toronto

• **Trade Disputes Redress - Effective Appeals**

Maria Romeo, Director, *Canada Border Services Agency*, Ottawa

• **SIMA – Effective Submissions and Enforcement/Appeals Issues**

Caterina Ardito-Toffolo, Director, Anti-Dumping & Countervail Director, *Canada Border Services Agency*, Ottawa

• **Enforcement Appeals – Customs Seizures/AMPs**

Nick Fabiano, Director, *Canada Border Services Agency*, Ottawa

10:15 a.m. **Refreshment Break**

10:30 a.m. **Effective Representations before CITT - A Panel**

Pierre Gosselin, Chair, CITT, Ottawa, Ronald Cheng, *Osler, Hoskin & Harcourt LLP*, Ottawa, C.J. Michael Flavell, *Lang Michener LLP*, Ottawa and Darrel Pearson, *Gottlieb Pearson*, Toronto

• Best Practices in Special *Import Measures Act* Cases

• Bases for Decisions, Exclusions

11:45 a.m. **Cash bar**

12:15 p.m. **Lunch – Keynote Speaker**

**Robert E. Herzstein, First Head International Trade Administration, former Under Secretary for International Trade, Department of Commerce, Counsel, Mexico NAFTA Negotiations**

“Trade Remedy Laws Historical Perspective & Future, Prospects for Trade Liberalization”

**Export Controls**

• **Dual Use Goods – Controlled Goods – US Re-Export Issues**

Moderator: Ronald Cheng, *Osler, Hoskin & Harcourt LLP*, Ottawa, Pierre Gagne, *Controlled Goods Directorate*, PWGSC, Ottawa, DFAIT Export and Import Controls Bureau, U.S. Lawyer (invited)

OR

**GST Cross Border Issues**

• **Customs GST Interaction**

Moderator: Dalton Albrecht, *Miller Thomson LLP*, Toronto, Steven D’Arcy, *Bennett Jones LLP*, Toronto and Dennis Wyslobicky, *Barrister & Solicitor*, Oakville

• Constructive importers and ITCs/ITC flow-through/Imported Taxable Supplies

• Drop Shipment Rules

• UPS and Other Import Cases

3:00 p.m.

**Refreshment Break**

3:15 p.m.

**Break Out 2**

• **Procurement**

Moderator: Gerry Stobo, *Borden Ladner Gervais LLP*, Ottawa, along with CITT Member (invited) and David Attwater, *Barrister & Solicitor*, Ottawa

• Best practices in effective CITT submissions

• Avoiding cardinal sins when representing clients

OR

• **AMPs/US MOD Act - Comparative Law Seminar**

Moderator: Cyndee Todgham Cherniak, *Heenan Blaikie LLP*, Toronto, along with Greg Kanargelidis, *Blake, Cassels Graydon LLP*, Toronto and Lawrence M. Friedman, *Barnes Richardson & Colburn*, Chicago

4:30 p.m.

**Cocktail Reception**

**Sponsored by Borden Ladner Gervais LLP, Deloitte & Touche LLP, Miller Thomson LLP and Osler, Hoskin & Harcourt LLP**

**Speakers subject to change**

# Registration Form

## MEETING VENUE

The Ottawa Congress Centre  
55 Colonel By Drive  
Ottawa, ON  
Website: [www.ottawacongresscentre.com](http://www.ottawacongresscentre.com)

## TRAVEL

Air Canada is the official carrier for all our CBA meetings. For travel assistance, please call the CBA's travel agent, Algonquin Travel, at 1-866-216-1251 and quote CBA Account #7FFPVTXI. Discounts will not be available if you call Air Canada direct.

## REGISTRATION

Pay by credit card (Visa or MasterCard **only**), or send cheque or money order made payable to the Canadian Bar Association together with this registration form to:  
Ann Suurland  
CLE Program Coordinator  
Canadian Bar Association  
865 Carling Ave., Suite 500  
Ottawa, ON, K1S 5S8 or  
Fax information to 613-237-0185

**PAYMENT MUST BE RECEIVED PRIOR TO THE ACTUAL CONFERENCE TOGETHER WITH A COMPLETED REGISTRATION FORM**

## REFUND POLICY

There will be a 20% administrative charge for any cancellation received in writing prior to **April 17, 2007**. No refund will be given after **April 17, 2007**.

There will be no refunds for "no-show" registrants. The program material will be shipped to registrants unable to attend the program within 15 days of the program.

For further information about this program, please contact **Ann Suurland** at the CBA National Office by telephone at **613-237-2925** or **1-800-267-8860 ext. 186**, or by e-mail at [ann-maries@cba.org](mailto:ann-maries@cba.org).

*We encourage limited use of scented product during the conference in consideration of scent-sensitive participants. Thank you.*

**For updates on the program, please visit our web-site at [www.cba.org/CBA/CLE](http://www.cba.org/CBA/CLE)**

## THE NATIONAL COMMODITY TAX, CUSTOMS AND TRADE CLE CONFERENCE May 17, 2007

	FEE	GST (6%)	TOTAL
<input type="checkbox"/> CBA Members	\$365.00	\$21.90	\$386.90
<input type="checkbox"/> Students (CBA Members)	\$80.00	\$4.80	\$84.80
<input type="checkbox"/> Non-Members	\$415.00	\$24.90	\$439.90

- Yes**, I would like to attend the Thursday night reception.
- Yes**, I would like to join the CBA now and pay the member fee to attend this program. I understand that a membership representative will be contacting me.
- No**, I cannot attend but would like to purchase the course material. The publication coordinator will contact me after the conference to discuss cost and shipping.

CBA Membership No.

Mr.  Ms.

Surname

Given Names

Firm or Organization

Address

City

Province

Postal Code

Office Phone No.

Fax No.

Email

Please indicate special needs (dietary, wheelchair access, etc.)

### Method of Payment (payment due with registration application)

Cheque  Visa  Mastercard

Card No.

Expiry Date

Authorized Signature

### PERSONAL INFORMATION CONSENT

CBA's programs are supported by preferred suppliers, sponsors, and exhibitors. Subject to the following paragraph, I understand that the provision of contact information on this form constitutes my consent to such information being disclosed to the preferred suppliers, sponsors, and exhibitors of this program. For further information about the CBA's treatment of personal information, see members' Privacy Policy at [www.cba.org](http://www.cba.org).

By checking this box , I do not wish my contact information disclosed to the preferred suppliers, sponsors, and exhibitors of this program. I understand that my name will not appear on the delegates list.